

JC02 Rec'd PCT/PTO 24 MAY 2002 PCT
PATENT

Attorney Docket No. SPO-587/DIV

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)
MOMODA; MATSUOKA; NAGOU)
Serial No. 10/069,168)
Filed: February 19, 2002)

Group Art Unit: Unknown ACT 15 2003

Examiner: Unknown TECH CENTER 1600/2900

For: CHROMENE COMPOUNDS

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

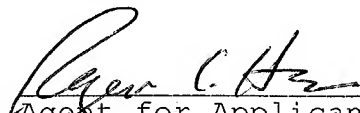
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Filing Receipt;
- (2) Transmittal Letter;
- (3) Second Preliminary Amendment; and
- (4) Appendices A, B, C and D.

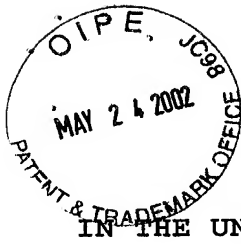
Please charge any additional fees, or credit any overpayment, in connection with this matter to deposit Account No. 19-1980.

Respectfully submitted,

SHERMAN AND SHALLOWAY


Agent for Applicants
Roger C. Hahn
Reg. No. 46,376

SHERMAN AND SHALLOWAY
413 N. Washington Street
Alexandria, Virginia 22314
703-549-2282



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For: **CHROMENE COMPOUNDS**

SECOND PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination on the merits, please amend the above-identified application, as follows:

IN THE CLAIMS

Please amend claim 1 as indicated in Appendices A and B submitted herewith. Appendix A is a marked-up copy of the amended claim and Appendix B is a clean copy of the amended claim.

IN THE SPECIFICATION

Please amend page 1 as shown in Appendices C and D submitted herewith. Appendix C is a marked-up copy of the specification and Appendix D is a clean copy of the specification.

REMARKS

The specification has been amended at page 1 before the first

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paragraph to make reference to Applicants' Japanese priority documents in addition to prior related U.S. applications.

Claim 1 has been amended to include a proviso removing the "trifluoromethyl-phenyl" moiety from the general "6-morpholino-3(4-morpholinophenyl)-3H-naphtho [2,1-b] pyran" structure. This proviso removes the specie 6-morpholino-3(4-morpholinophenyl)-3(-trifluoro-methyl-phenyl)-3H-naphtho[2,1-b]pyran compound which is disclosed in claim 13 of WO98/45281. No new matter within the meaning of §132 has been added.

Accordingly, Applicants respectfully submit that the claims are patentably distinguishable over the prior art and respectfully request allowance of presently pending claims.

Respectfully submitted,

SHERMAN & SHALLOWAY



Agent for Applicants

Roger C. Hahn

Reg. No. 46,376

May 24, 2002

SHERMAN AND SHALLOWAY

P.O. Box 788

Alexandria, Virginia 22313

(703) 549-2282